

**Agricultural Advisory Committee
December 17, 2019 Meeting Minutes**

Attendees: Peter Driscoll, Ben Butler, Doug Lechluder, Ben Allnutt, Linda Lewis, Jane Evans, Aliza Silver, Lori Larson

Staff: Jeremy Criss

Agenda items are in bold and minutes are not bolded.

1. **Call the Meeting to Order and Introductions: 7:03 PM**
2. **Approval of the AAC meeting minutes from November 19, 2019.** Approved as corrected. (Lewis/Driscoll)
3. **The Agritourism Study Advisory Committee-ASAC Study and Final report will be presented to the Montgomery County Planning Board on December 19, 2019.**

This Thursday, the planning staff will present the ASAC Study and recommendation from the Committee members to the Planning Board. Park & Planning disseminated the report in advance of the last ASAC meeting which was on October 29. Jeremy, Vice Chair of ASAC, Bob Cissel, and Chair of ASAC, Jane Siegler, will attend the presentation. They will learn if the planning board will address the recommendations from the staff that has not been part of ASAC's work.

4. **The Sugarland Broadband Pilot Phase II along Sugarland Road and Montevideo Road is being installed. The system will be activated. The Weitzer family will be able to hook up to the Comcast Broadband since their neighbors have finally signed off on the Comcast Easement.**

<https://montgomerycountymd.gov/cable/Sugarland/sugarland-comcast.html>

All the residents who requested the service from Comcast are being hooked up. They are getting permits to attach the power supply units to the polls. This includes approximately 115 residents and twelve businesses, like Homestead and Rocklands Farms, and equestrian businesses in the area. We are all glad that the neighbors adjacent to the Weitzer farm have signed on.

5. **The University of Maryland Extension made a job offer regarding the David Gordon's 4-H Livestock position. The new employee Santana Mays started on December 9, 2019.**

She will be ready for the 4H youth development club camp and the Agricultural Fair.

6. **Elrich Administration has proposed a Comprehensive Tree Trimming effort to bring the farming rustic road users and the rustic roads supporters together to agree on acceptable tree trimming standards. There is a site visit scheduled for December 19, 2019 at 2:00. The OAG, AAC and MAP will be represented.**

Dale Tibbetts, Special Assistant to Marc Elrich, asked for a list of roads, which OAG has provided. Randy Stabler has offered a tour of roads in the Ag Reserve (East Side) and to let people try to maneuver his combine along Brookeville Rd. this coming Thursday. The three farmer members of the Rustic Roads Advisory Committee (Todd Greenstone, Lonnie Luther, Laura Van Etten), Bob Cissel for MAP, and OAG will also be on the tour.

- 7. Proposed State Legislation-State Bill Hearings December 2, 2019. I want to thank Michael Jamison for testifying on behalf of MAP on the MC 6-20 Bill for the use of rifles with Deer Management Permits. Please see the attached letters from the AAC.**

Doug testified on behalf of AAC, John Fendrick testified for APAB, Paula Linthicum and John Jamison both testified as individuals, and Michele Cropp submitted written MCFB testimony. AAC will look more closely at these bills once session in Annapolis begins.

<http://www.montgomerycountydelegation.com/2020/documents/MC6-20.pdf> - proposal to add rifles as acceptable firearms in Montgomery County while hunting with a deer management permit. Please note that several farmers have expressed safety concerns surrounding the use of rifles in the County.

No one testified in opposition to the bill. Senator Ben Kramer is not a supporter of deer hunting legislation. Last year, Charles, Calvert, St. Mary's and Harford proposed the legislation to use rifles with deer management permits.

<http://www.montgomerycountydelegation.com/2020/documents/MC7-20stored10-29-19.pdf> - proposal to change the County ag transfer tax law, would direct the collections to be used for ag preservation and programs that support agriculture.

<http://www.montgomerycountydelegation.com/2020/documents/MC26-20.pdf> - Adding Montgomery County to the 50 and under club for ag tourism venue capacity.

- 8. Bill 34-19 Taxation-Development Impact Taxes-Affordable Housing Impact Fairness. The Public Hearing was December 3, 2019. The Office of Agriculture, AAC and MAP provided comments in opposition to this bill on the merits of how affordable and workforce housing policies have deemphasized the need and demand for both TDRs for receiving area projects and demand for Building Lot Termination-BLTs. Please see the attached letter from the AAC.**
https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=26321_9749_Bill_34-19_Introduction_20191015.pdf

AAC did oppose the bill at the public hearing on Dec. 3. It seems that it may not move forward in its current form since only two County Council Members support it.

- 9. Follow up discussion on ZTA 19-07 Telecommunications Towers-Limited Land Use. The Public Hearing was November 19, 2019. Please note that the phone tower in front of Homestead Farm is not part of the 5G network. This phone tower is a**

Distributed Antenna System (DAS) originally installed by NextG to increase the cellular coverage in the area. The application was processed in 2007. The original DAS design was for Sprint-Nextel to attach antennas to transmit signals to serve users along the roadways and an area within approximately one-quarter mile around each site. The dual band Sprint-Nextel antennas are attached atop poles owned by either PEPCO or Verizon. <https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2019/ZTA%2019-07.pdf>

The County is pushing for a 5G network to not only improve cell phone reception, but also to eliminate the need for high speed broadband through physical cables. Tommy Heyboer, who works for Hans Riemer, is leading a Zoning Text Amendment to address these efforts. Riemer is hoping that the ag community will embrace 5G. It seems that the 5G antennae aren't as big as the Nextel Spring ones, and they supposedly don't make noise either. Jane and Lori have been looking into the 5G antennae and it seems they require line of sight so there would need to be *many* of them to be effective. Lori said 5G would make a significant difference to someone like her who struggles from a lack of service in running her business. Ben Butler said that he doesn't believe there is any evidence that 5G antennae would help anyone outside the line of sight and that 5G may not be the long-term solution.

AAC agreed that we will not take a position on this yet as we still need more information. We welcome the opportunity to hear from experts to help us understand 5G more. Jeremy will reach out to Margie Williams who may want Mitsi Hererra to come speak to us, and maybe someone from the private sector too.

10. Proposal to allow Community Solar in the Agricultural Reserve-Please note this is being driven by the State of Maryland Climate Change Initiatives.

Many on the County Council and the County Executive want to develop a plan to address climate change. They have created a number of working groups and parameters for coming up with additional legislation for the 2020 session. One idea was to revisit ZTA 18-01, which allowed for 2 megawatt solar installations in all zones of the county except for the ag reserve. In the ag reserve currently, you can only have accessory solar, which can produce up to 120% of the total energy consumption of the property. There are a few solar companies developing projects in the rural cluster zone. Several farmers have received packages in the mail from companies that want to prepare in case the Council decides to revisit the ag reserve policy. Rockville has been telling OAG that they would only want to put solar in the ag reserve as a last resort. Adam Ortiz, Director of DEP is heading the solar working group and is putting together a GIS map to illustrate the land with public easements (where you couldn't locate commercial uses, like solar).

The Maryland Farm Bureau decided, at the banquet, that they oppose solar in counties with priority preservation areas, in addition to prohibiting on USDA Class I, II, and III prime and productive soils. In Montgomery County, if you remove the USDA soils priority preservation areas, there are 24,000 remaining acres. But perhaps, since the ag reserve is all considered a priority preservation area, Montgomery County may not be

eligible. Hans Riemer is organizing a meeting in his office on January 9, 2020 to discuss this.

11. Follow up from the Farmer Round Table with US Senator Ben Cardin-Friday December 6, 2019.

The meeting went very well. Senator Cardin asked about funding for conservation efforts for the Chesapeake Bay Watershed; Robert Butts and John Zawitoski led the discussion and have already followed up with the Senator.

Doug raised with the Senator how hemp is a product without a market (they were promised \$65,000 an acre, but instead are losing \$6,500 instead). It is unclear what to do with the hemp; apparently the US has more acres of hemp planted than China. Should it be used for fiber or CBD? The state of Maryland could have done what other states did after the 2014 Farm Bill, which said that even though hemp was a controlled substance federally, they would allow farmers to grow if they partnered with academic institutions. Those states are now years ahead of Maryland with regard to prime growing conditions. The State of Maryland didn't want to get involved with hemp at the time due to liability. In December 2018, the Maryland Department of Agriculture decided to get on board with the 2014 Farm Bill. Only a few weeks later, the 2018 Farm Bill removed hemp from the list of controlled substances and now MDA has to go back and write regulations to conform with the 2028 Federal Farm Bill. They are still being developed.

12. Follow up from the Legislative Luncheon yesterday at Seneca Ayr Farm.

It was a good exchange. This year had more members of the Montgomery County delegation than in previous years, but fewer from the County Council.

13. Ag Reserve Postcard Survey: All residents in the Agricultural Reserve will receive a postcard survey pertaining to high speed Broadband. Once you receive this postcard please make sure that you fill it out and send it back in.

No one has seen the postcards yet, so Jeremy is going to check on their status. The point is to get farmer perspectives on broadband.

14. Additional Business

Lori asked about Montgomery County deficits. Jeremy said that the number varies depending on who you speak with. It is unclear whether the Kirwan reforms, to increase education funding above the level currently provided for schools, will be implemented in 2020. The County received its share of state income taxes from the state on November 28, 2019. For the FY21 Operating Budget the MSCD has requested two new positions, an engineer, and a technician, but we no idea how these requests will rank competitively against other county departments.

15. Adjournment: 8:33 (Allnutt/Evans)